



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TC 1700

In re application of

Ingvar SELMER-OLSEN et al.

Serial No. 09/762,821

Filed April 23, 2001

AQUEOUS PRESERVATIVE

: Confirmation N. 9667

: Docket No. 2001-0136A

: Group Art Unit 1761

: Examiner Carolyn A. Paden

RESPONSE

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action of June 6, 2003, Applicants submit the following remarks in support of the patentability of the presently claimed invention over the disclosures of the references relied upon by the Examiner in rejecting the claims. Further and favorable reconsideration is respectfully requested in view of these remarks.

Initially, although the Office Action Summary page indicates that claims 5-13 are pending in the application, please note that the previous Office Action indicates that claims 4-12 are pending, and Applicants' response to the previous Office Action notes that the claims under examination are claims 5-12 set forth in the Preliminary Amendment. It therefore appears that the claims pending in the application are claims 5-12.

The rejection of claims 5, 6, 8 and 10-13 (10-12 ?) under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7 of Hjornevik et al. in view of Haram is respectfully traversed.